1: Bowen-Jones et al. K-5 (1955-1958) 1961
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C. Constitutional and Social

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During World War I the political situation in the Islands remained amazingly stable. The re-imposition of bureaucratic rule by the Governor removed at least some of the opportunities for dispute. The departure from the political scene of Mizzi and Strickland also removed some of the personal animus that had appeared in the political conflict. During the war, the Maltese manpower contribution in labour battalions and on ship was considerable, and the security of the naval base was never questioned. After the cessation of hostilities there followed economic dislocation and in 1918 15,000 Dockyard workers were discharged, only 5,000 of whom had been re-engaged by 1920. Partly as an ameliorative measure accompanying others more directly valuable, and partly as a liberalist appreciation of services rendered, a new constitution was established in 1921 and further liberalised in 1928.

The 1921 constitution provided for bicameral representative and responsible government. The Governor in Council retained limited but reserve powers although no very clear separation was made between domestic and imperial affairs. For some years relative stability was maintained and political parties, major and minor, began to crystallise. Unfortunately for Malta the issues that had already developed (see Chapter V B) survived and, with the resurgence of nationalism in Italy and the logical extension of the process of anglicisation, all the old suspicions and enmities reappeared. The party which was to become termed 'Nationalist' became the protagonist of the still dominant upper middle-class and professional group and of those who saw the position of the Church threatened by the waning of Italian cultural supremacy. In 1920 a permanent Board of Education was created and in 1924 the Compulsory Attendance Act ensured a certain minimum of attendance once a pupil was registered. Although the Church schools remained independent, the growing dominance of English and to a lesser extent Maltese, and of secular education finally sparked off that antagonism to change which existed. In 1927 Lord Strickland returned to lead a party committed to hasten such change. Once again conflict of interests became acute and after a temporary suspension of the constitution in 1930, it was finally revoked, legally in 1936, in fact with effect from 1933 when Italian finally lost its position as one of the official languages (1). To an outsider, now as then, the period appears tragic in that it is characterised by pre-occupation with affairs of little relevance to the needs of most Maltese. The social and cultural dichotomy within the Islands was maintained.

An attempt to restart constitutional development was made in 1939 by the creation of a representative council but World War II forced a return to centralised government particularly during the state of siege. After hostilities had ceased a fresh approach to the problem was made, much in the spirit of 1920, and in 1947 the Constitution which was in force until 1958 was promulgated. It provided for single chamber Legislative Assembly of 40 members. Party government through an Executive Council advised the Governor. He, as head of the Imperial Government, alone had executive and legislative power in those reserved 'matters touching the public safety or defence', advised by a Nominated Council. In practice, this 'dyarchical' system depended on a logically impossible understanding and appreciation of the division of interests between reserved and non-reserved, imperial and domestic, affairs. Nevertheless, and as realised by the subscribers to the Report on the Round Table Conference in 1955 (2), some reservation of power to the Imperial Government is inevitably necessary.

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Since 1947, the cumulative effects of economic change have transformed the local political scene. There are now over 150,000 enfranchised voters and political power has slipped out of the hands of the upper middle-class. The most succinct statement of the platforms of the various modern political parties as they were before 1958 and probably still are in essence may be found in the Round Table Conference Report (3). To us, the most important feature of the contemporary political scene is the way in which the modern political cleavage

1: Bowen-Jones et al. K-5 (1955-1958) 1961
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is uneasily superimposed on the traditional pattern. The part played by the Church during the 1956 Referendum on integration with the United Kingdom was most complicated. During the disturbances following the breakdown of Government in the spring of 1958, town and country, proletariat and bourgeoisie, Maltese Malta and Latinised Malta, all reacted differently. Over all reasonable actions looms the knowledge that Malta is not a viable independency (4).

As we have seen, education and language have been inextricably involved in politics (5). More directly important is the educational effect on the people as a whole of the system of public instruction. Under the leadership of Dr. Albert Laferla public education became vastly improved in all ways (6), and from his tutelage, more particularly after the Compulsory Attendance Act of 1924, came the generation of Maltese which now forms economically and socially the most important part of the population. After 1933, Italian ceased to be used as a medium of instruction, a standard Maltese orthography came into use (7), and the school system was expanded to meet the most obvious and immediate needs. Education was sadly disrupted by World War II but since that time has continued to improve in quality and range of facilities (8). Compulsory Education as distinct from compulsory attendance came into force in 1946, and in 1955 full-time education became the rule. Some 22 per cent. of children of school age still receive education in private, usually Church run, schools.

It is vital to realise the extent of the social and economic revolution implied in these developments. In the rural areas the change has been one from illiteracy to education within one generation. Even in the towns, and this is particularly true for the new growths associated with dockyard, manufacturing and service industry employment, thoughts and activities are being fundamentally affected by education for the first time in Maltese history. Contrasts between the levels of awareness of the value of formal education are considerable, and the full impact of technical education has yet to be felt - the first Government Technical School was opened in 1934. The chief contrast observable in the field however is between the two age groups, over and under 30 to 35 years of age. The former still contains many illiterate and therefore conservative people; the latter by reason of training as well as age is radical and impatient. The latter attitude is largely responsible for the drift from the land which encourages the domination of agriculture by residual conservatism.

In the field of public health, skeletal public works services had been constructed before World War I. Recent developments may be regarded as logical extensions both in the sector of public works and in the field of medicine. As late as 1936 the judgment of the Chief Government Medical Officer was 'no scheme of sanitary reform ever met with greater opposition than the establishment of the modern sewer system in Malta' (9), but by 1955, about 270,000 or over 90 per cent. of the Maltese population lived in sewered dwellings, Żurrieq alone among the large villages remaining unserved. In parts of the countryside and in the smaller villages, dispersion of settlement renders prohibitive the cost of connection of each dwelling with the public sewers. The more isolated and the more rural areas are now the regions of lowest standards (Fig. 33).

Medical services, particularly in their relevance to the problem of high infant mortality, developed late and slowly (10). The most serious obstacles were those rooted in Maltese social life (11). The strength of the matriarchal tradition in Maltese household has meant that the ignorance of the oldest generation persists in imposing itself on the life of the youngest. Dirt, overclothing and under-feeding, the indiscriminate and early use of farinaceous foods, all these were difficult to eradicate in overcrowded and grandmother-dominated conditions (12). The difficulty of educating in hygiene and personal health an indifferent and tradition-bound population proved insuperable and in 1939 the infantile mortality rate was as high as the average for the preceding 20 years.

The final breakthrough occurred paradoxically during World War II. In 1943 and 1944 housing conditions and diet were worse than any experienced in peacetime but the death rate and the infantile mortality rate began to fall to record

[TEXT CONTINUES ON P. 179]

2: Boissevain E-5 (1960-1961) 1965
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175 rulers who sought to control her strategic position and fine natural
648 harbours. Phoenicians, Carthaginians, Greeks and Romans successively occupied the islands. Although it is generally held that Malta and Gozo formed part of the Byzantine Empire, virtually nothing is known of this period of Maltese history. In A.D. 870 the Arabs occupied the islands. Two hundred years later they were replaced by the Normans under Count Roger. After the death of the last Norman king, Malta shared the fate of Sicily and passed successively to the Swabians (1194–1266), the Angevins (1266–1283), the Aragonese (1283–1410), and the Castilians. In 1530,
[701] Emperor Charles V handed over Malta and Gozo with their protesting inhabitants as a fief in perpetuity to the Sovereign Military Order of St. John of Jerusalem, a powerful body of celibate nobles vowed to helping the poor, caring for the sick and waging war on Islam. Napoleon drove out the Knights in 1798, and in 1800 Britain replaced the French. The islands were formally ceded to Britain under the terms of the Treaty of Paris in 1814. Since then they have remained a British possession.

175 The most important recorded event in Malta's early history was
776 the shipwreck of St. Paul in A.D. 60.[1] During the three months he
795 stayed in Malta, he is popularly believed to have converted the people to Christianity. Whether he converted many is a moot
[797] point, but it is a fact that he baptized the Roman governor, Publius, who became Malta's first Bishop. The Maltese are in-
[796] tensely proud of the apostolic origin of their religion. *Missierna San Pawl*, 'Our Father St. Paul', as he is usually called, is the principal patron saint of the islands, and the feast of his shipwreck is a national celebration. Not surprisingly, there are many local legends about him. One holds that the first people to heed his gospel were the villagers of Naxxar, and that his preaching there was heard by the people of Xewkija in Gozo.

175 The line of bishops established with Publius was broken during
793 the long period of Moslem rule. Count Roger, however, re-
795 established and endowed an episcopal see. He also helped to arrange other details of ecclesiastical organization which had lapsed while Malta was under Arab domination. The present line of Maltese bishops dates from this period.

175 Malta had a considerable measure of local autonomy during the
642 Aragonese and Castilian periods. Public affairs were administered
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[1] Acts 27 and 28.

2: Boissevain E-5 (1960-1961) 1965
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by the officials of the governing body, or *Università*. This body, which met in Mdina, the old capital of the island, was composed of representatives of the nobles, learned men, secular priests, merchants and artisans elected by all the family heads in the towns and villages of Malta and Gozo. The Knights of St. John, however, severely limited the authority of the Università, and during their final years it was little more than a public corporation responsible for the importation of scarce foodstuffs.

The Order made itself responsible for local government. It controlled and financed the local militia, police, courts, water supply, public works, hospitals and charities. The government of the Order was highly centralized, and all key posts were held by Knights, though many of the lesser administrative offices were given to Maltese nobles, lawyers and clerks. The authority of the Order was made effective in the rural areas through the police and the ten Captains who were in charge of military garrisons and arsenals, located at strategic points for internal security and defence against war parties and corsairs, and were also responsible for mobilizing the militia. This paternalistic system of administration came to an abrupt end when Napoleon drove the Knights from the islands. Their departure marked the end of an era.

Napoleon remained in Malta only eight days, but they were busy days. According to Laferla, 'it is certain that no one in the space of a few days attempted more, did more and upset the Maltese more than he did.'[1] He set up a nominated council of Maltese to see to civil administration, remodelled the tribunals along French lines and established twelve municipal councils. He abolished the nobility. He closed the University, established a central technical college and founded fifteen government elementary schools. He also sent sixty sons of wealthy families off to study at republican colleges in Paris at their parents' expense.

'All this and probably much more would the Maltese have patiently tolerated,' says Laferla, 'had Napoleon not interfered with religion.'[2] For he set out to curtail the influence of the Church. He limited the jurisdiction of the Bishop to purely ecclesiastical affairs, ordered the expulsion from the islands of all non-Maltese clergy and reduced the number of clerics. He also instituted civil marriage, gave protection to the Jews and forbade

[1] A. V. Laferla, *The Story of Man in Malta* (3rd ed.; Malta, A. C. Aquilina and Co., 1958), p. 144.
[2] *Ibid.*, p. 148.

2: Boissevain E-5 (1960-1961) 1965
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In the early years of its rule, Britain moved slowly but firmly to restrict the authority of the Church. As one of its first steps, it imposed a mortmain law which forced the Church to sell off bequests of immovable property within one year. In 1828, it abolished the right of sanctuary and restricted the jurisdiction of the ecclesiastical courts to purely spiritual matters. Shortly afterwards, the Diocese of Malta, until then subject to the Metropolitan of Palermo, was made directly dependent on the Holy See.

In spite of the inroads Britain made on the power of the Church, the relations between the two have, on the whole, remained extremely cordial. This friendliness has been due very largely to the considerable protection which Britain has given to the Church in Malta. To begin with, it is protected from the competition of other religions. The missionary activities of groups such as the Bible Society and the Salvation Army have been severely restricted. Moreover, the government reserves the right to ban public religious ceremonies by non-Catholics if they threaten to disturb the peace. Catholic precepts regarding education and marriage are also safeguarded, for education is on Catholic religious principles, and divorce and civil marriage are not possible under Maltese law. Furthermore, the Archbishop is accorded high honour, and in the jealously guarded order of precedence he is second only to the Governor. Both the Archbishop and the Bishop of Gozo are exempt from the jurisdiction of the criminal courts.

In addition, the first Maltese elected government passed a law in 1922, declaring the Roman Catholic religion the religion of the country. Article 161 of the Malta Criminal Code makes it a criminal offence to vilify in public the Catholic religion or its ministers.[1]

Constitutional development in Malta has been a painful and slow process; for it is not a simple matter to give representative government to a fortress. The first constitution in 1835 provided for a council of government composed of five office holders, including the Governor and the Bishop, and three nominated dignitaries. Since then, there have been no less than nine different constitutions. Those promulgated before the First World War established an oligarchical system. Property restrictions on those allowed to vote and hold office resulted in elections by and for members of the landed, professional and merchant classes. Further-

[1] Act XVIII, 1933.

2: Boissevain E-5 (1960-1961) 1965
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more, because Imperial strategic interests limited the terms of reference of these councils, the constitutions permitted only the most rudimentary form of government. Only under the 1887 Constitution did elected members outnumber official members. But this elected majority had no effective power and finally proved so awkward that in 1903 a new constitution reinstated an official majority.

After the First World War, there was popular agitation for a more liberal form of government. In 1919, the social unrest culminated in an anti-British riot during which British troops killed four demonstrators. Later that year, Britain announced that Malta would receive a more liberal constitution. The new constitution, which eventually came into force in 1921, attempted to reconcile two conflicting principles: continued British control over her strategic island-fortress, and Maltese self-government. The complicated solution which Britain adopted was dyarchy, under which effective legislative and executive power was divided between the Governor and the representatives of the Maltese people. This created two separate governments.

The Imperial Government dealt with 'Reserved Matters', which included defence, foreign relations, immigration and coinage. The Malta Government consisted of a seventeen-member Senate and a Legislative Assembly of 32 members. The Senate was composed of representatives of the clergy, the nobility, the University, the Chamber of Commerce and the Trade Union Council. The members of the Legislative Assembly and seven members of the Senate were elected by adult males, subject to certain minimal property or educational restrictions.

The 1921 Constitution was suspended in 1930 and again in 1933, and finally revoked in 1936. In spite of a new constitution in 1939, the islands remained effectively under Governor's rule until representative government was restored after the war. The 1947 Constitution again provided dyarchy, but it did not resurrect the cumbersome Senate. The new Legislative Assembly consisted of forty members elected by universal suffrage from eight electoral districts. In 1958, the government resigned following the collapse of talks with Britain over a proposal to 'integrate' Malta more closely with the United Kingdom. As the leader of the opposition refused to form a new government, the Governor suspended and then revoked the constitution.

2: Boissevain E-5 (1960-1961) 1965
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I did the fieldwork on which this study is based at this period in Malta's constitutional history. A new constitution was promulgated late in 1961, and elections took place in February 1962. In place of dyarchy, it provided for 'concurrent powers' on foreign affairs and defence to be held by the Malta Government and a United Kingdom Commissioner.

The first Maltese political parties were born out of the controversy over language which followed the publication in 1880 of the Keenan report on education. This recommended that English should be taught in place of Italian in the primary schools, although students might later take Italian as an elective subject. In the Lyceum and the University, except for the Faculty of Theology, all work was to be done in English. These recommendations, which the government tried for many years to implement, weakened the dominant position which Italian had enjoyed in the educational system. As Italian was the language of the law courts, the clergy and the University, it was something of a class symbol. Most of the educated classes, and especially the lawyers and priests, strenuously resisted the move to downgrade it in favour of English. Many of the refugees from the Italian wars, who came to Malta after 1850, gave encouragement to the partisans of Italian. The Italian movement also whipped up considerable support amongst the clergy and their parishioners by declaring that English would certainly bring with it increased Protestant influences.

The dispute thus created interest groups which were to dominate Maltese politics for the next fifty years. On one side was the pro-English, or *riformista*, party led first by Sigismondo Savona, later the Director of Education, and subsequently by Count (later Lord) Gerald Strickland. This party, which generally supported government policy, favoured close cultural and political ties with Britain. By the 1920's, it became known as the Constitutional Party. Its successor, the Progressive Constitutional Party, is led by Strickland's daughter, Miss Mabel Strickland.

The *anti-riformista* or pro-Italian party was led by Dr. Fortunato Mizzi and later by his son, Dr. Enrico Mizzi. The Nationalist Party eventually emerged out of this group, and today, although the language issue is quite dead, it is still one of the two major political parties. Both parties campaigned for support in the villages and thus, for the first time, forcefully presented national political issues to the masses.

2: Boissevain E-5 (1960-1961), 1965
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659 A Papal Delegate visited Malta and concluded that the differences between the government and the Church could best be settled by means of a concordat. During most of the year following the Papal Delegate's visit, Britain tried unsuccessfully to negotiate a concordat and to get the Holy See to forbid the Maltese clergy to take part in the general elections scheduled for May 1930. The Vatican, however, declared that Strickland was not *persona grata* and that as long as he remained in power, a concordat was not possible.

In Malta, the relations between the Strickland Government and the Church went from bad to worse. In April 1930, two Constitutional Party Ministers gathered many sworn statements that Monsignor Gonzi, the Bishop of Gozo, had instructed priests to preach against the Constitutional Party and to refuse absolution to its supporters. This inquiry greatly angered the Church. On the 666 first of May, the Archbishop and the Bishop of Gozo issued a joint 659 pastoral which forbade people to vote for Strickland or those can- 648 didates who supported him. In view of the spiritual sanctions that [64] threatened people who voted for the candidates of one of the two [64] major parties, Britain had no option but to cancel the elections. It subsequently suspended the constitution, but kept the Strickland ministers on as advisers.

197 A Royal Commission went to Malta to investigate the trouble. Following its report, Britain restored the constitution and 64 abolished the teaching of Italian in primary schools. In June 1932 665 the Nationalists defeated Strickland and his supporters in a bit- 66 terly contested election in which 96 per cent of the electorate voted. However, their period in office was very brief. The Governor dismissed them in November 1933 for deliberately evading the constitutional provisions regarding language, for they had set about to re-establish the primacy of Italian in the educational system and the civil service. Once again the administration of the islands became the responsibility of the Governor.

186 During the fourteen years of Governor's rule which followed, 64 the deep wounds caused by the long, harsh political conflict slowly healed. The first Italian bombs of the war finally killed the language dispute. The united defence effort and the common suffering caused by the prolonged bombardment further helped to reunite political rivals and suppress parochial quarrels. Britain awarded the people of Malta and Gozo the George Cross for

2: Boissevain E-5 (1960-1961) 1965
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to switch to the party with best chance of success, for they know that if he is elected, he will channel patronage to them, often at the expense of the rest of his electoral district.

This system of voting also encourages contests between candidates from the same party. Such contests, carried out in public and in the heat of a campaign, often create hostility among the leaders of the party, and weaken its solidarity.

Finally, because this proportional system makes it possible for popular minority candidates to be elected, it encourages dissident factions to hive off from the major parties and found new ones. This seriously weakens the parent parties. Thus, although the only political division of real importance is that between the supporters of the Archbishop and those who favour Mintoff, there are now six political parties in Malta. It is not surprising therefore that the minority parties, and Miss Strickland's Progressive Constitutional Party in particular, are strongly in favour of retaining the present electoral system. Without it they would not be represented. The Malta Labour Party, which favours a strong two-party system, would prefer to see substituted an electoral system which would eliminate the smaller parties and strengthen the major parties. The Nationalist Party, although it would benefit from a change in the electoral system which would eliminate many of its rivals, has remained relatively silent on this point. This is because most of its leading members are patron-politicians of the old school. They owe their political life and the influence they command to the electoral system which has enabled them to build their own personal political organizations. The Nationalist Party is a party of respected and influential men, but in their strength lies its weakness. It is a party of politicians, rather than a politician's party. Dr. Borg Olivier, the Nationalist Prime Minister, is a first among equals; he does not lead his party in the sense that Mintoff leads the Malta Labour Party.

In short the Maltese system of proportional representation facilitates the emergence of minority parties. It also weakens the major parties by promoting intra-party rivalry and helping to keep alive the tradition of local patron-politicians. These factors militate against the development of a strong central government. It can be argued forcefully that Malta, which is facing a critical period in its economic and constitutional development, is now in greater need of a strong central government than ever before. It

2: Boissevain E-5 (1960-1961) 1965
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would therefore seem that as this need becomes more pronounced, and as the Maltese voter gains in sophistication, there will be increasing pressure to change the present system of voting to one which strengthens the national government rather than weakens it.

VI

In addition to personal kin ties, patrons, political parties and politicians, pressure groups provide yet another way by which the villager can influence authorities outside his community. By bringing interest groups from one village into contact with similar groups in other villages, they permit united action for the resolution of common problems. The band clubs and football clubs have active national associations. Village lay apostolate societies have their own national bodies as well as the Diocesan Coordinating Junta, a powerful body which has now become one of the strongest forces opposed to the MLP. In view of the important part it and the other Church societies played in defeating the Labour Party in the recent election, they will probably be able to provide a channel of contact with the Ministers and anti-Labour MLA's. Some have already begun to apply pressure to obtain playgrounds and public conveniences for their respective villages.

Even the festa partiti have their associations. The Association of Secondary Feasts works to obtain new Church privileges for its members. It is opposed by the Association of Titular Feasts, which has formally advised the Archbishop that if he grants privileges to the secondary partiti, its members will stop celebrating the titular feasts.

Finally, there are also a number of trade unions. Though most have no village level organization or representatives, and play no direct part in village politics, some, in particular the General Workers Union and the Gozo Agricultural Co-operative Society, a large proportion of whose members live in the villages, play an important part in national politics. They thus provide another channel through which persons at the village level can influence decisions at the national level.

9: Luke G-5 (ca. 1920-ca. 1960) 1960
EZ6 Malta EZ6

600 be incomplete without some record of these events. It is a complex story but I will endeavour to tell it as succinctly as possible.

642 648 On the 7th July 1943, while the war was yet raging and Malta still in jeopardy, the British Government had made a Declaration from which I quote the following paragraphs:

> His Majesty's Government have had under consideration certain representations which have been made by the elected members of the Council of Government in Malta, who have asked for an announcement regarding their intentions in relation to farther constitutional development. Since the present Constitution of Malta was inaugurated in 1939 the fortress has successfully withstood a siege of two and a half years. During the siege the Island was subjected to heavy and sustained attacks from the air and to a food shortage of increasing gravity. By their steadfastness and fortitude under the severe hardships thus occasioned, the people of Malta together with its gallant garrison rendered services of incalculable value to the allied cause. . . .
>
> For more than ten years, between 1921 and 1933, the people of Malta enjoyed full legislative and administrative responsibility under the Crown in the conduct of their national affairs, the control of naval and military Services and of all matters appertaining to the position of Malta as an imperial fortress, or otherwise affecting imperial interests or policy, being reserved to the Imperial Government. It is the policy of His Majesty's Government that responsible government in the same sphere should again be granted to Malta after the war.

642 646 After the conclusion of hostilities no time was lost in taking the first steps to implement this undertaking. In 1944 a National Congress representative of all the constituted bodies recognized by the Government of Malta prepared the way for a National Assembly, summoned to consider plans for a new Constitution to replace the so-called "MacDonald Constitution" of 1939. This in its turn had followed one

9: Luke G-5 (ca. 1920-ca. 1960) 1960
EZ6 Malta EZ6

of 1936, which superseded the original self-governing Constitution of 1921. In 1946 Sir Harold MacMichael, a distinguished retired administrator in the Middle East, was invited by the British Government to formulate detailed proposals for constitutional reform after consultation with the National Assembly. His recommendations[1] provided for a Legislative Assembly of forty members elected on a system of proportional representation and led to the re-establishment of self-government in September 1947.[2] But some responsible elements regretted that they made no provision for the Second Chamber or Senate which had existed under the Constitution of 1921.

The elections gave Malta the first Labour Government in its parliamentary history, under Dr (later Sir) Paul Boffa; this made way in 1950 for one formed by the Nationalists, whose earlier dismissal had led to the suspension of the Constitution in 1933.[3] The new Government was headed—for such are the vicissitudes of politics—by the veteran pro-Italian Enrico Mizzi, who had been interned in East Africa during the war and died in December 1950, three months after taking office. In 1951 his successor, the Nationalist Dr G. Borg Olivier, formed a Coalition with Dr Boffa's "Malta Workers' Party"; this Coalition remained in power until defeated in 1955 by the Left-Wing Labour Leader, Mr Dominic Mintoff,[4] a former Rhodes Scholar who had been Minister of Public Works and Reconstruction in the Boffa Ministry but seceded from his former chief in 1950.

Already in the time of Dr Borg Olivier there had been inaugurated a series of talks in London between the Secretary of State for the Colonies and the Maltese Prime Minister and Leader of the Opposition on proposed changes in Malta's

[1] Published in 1947 as Colonial No. 207 and analysed in the White Paper "Malta; Statement on Constitutional Reform (Comd. 7014) of Jan. 1947."

[2] See p. 137.

[3] See pp. 135–137.

[4] Mintoff is a variation of the name usually spelled Mintuf, which is the Maltese word meaning 'plucked.'

9: Luke G-5 (ca. 1920-ca. 1960) 1960
EZ6 Malta EZ6

642 648 668 constitutional status. The British Government had felt unable to accept the Nationalists' request for Dominion status and the transfer of responsibility for Malta from the Colonial to the Commonwealth Relations Office; but neither Party regarded as adequate the British counter-proposal for the removal of Maltese affairs from the Colonial to the Home Office. In 1954 the British Government suggested all-party talks, to be held in London, and Mr Mintoff accepted the suggestion on assuming office in February 1955.

64 668 Mr Mintoff now put forward the novel proposal that Malta, while retaining its local autonomy and local Parliament (with power to legislate on all matters other than defence and external affairs), should be "integrated" with the United Kingdom and be represented in the House of Commons at Westminster by not fewer than three Members elected in accordance with United Kingdom electoral laws. The British Parliament's reaction to this interesting suggestion proving generally sympathetic, the Prime Minister, Sir Anthony Eden, announced in July 1955 that a Round Table Conference consisting of representatives of all political parties at Westminster would be convened for its consideration. The Round Table Conference of seventeen members (including Lord Attlee, Mr A. Bevan and Mr Clement Davies) under the Chairmanship of the Lord Chancellor, Lord Kilmuir, held twelve plenary sessions in London and three in Malta. Its Report was published in December 1955.[1] The Conference concluded that Maltese representation at Westminster was "practicable and reasonable" and recommended its acceptance by Her Majesty's Government and Parliament if also accepted by the people of Malta.

64 666 668 A referendum to ascertain the wishes of the Maltese was held—somewhat prematurely as was thought by some—on the 11th and 12th February 1956. The figures of the referendum showed:

[1] As Command 9657.

9: Luke G-5 (ca. 1920-ca. 1960) 1960
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64 Government the Maltese people would be represented, if
666 they so decided in a General Election, by three Members at
668 Westminster. They would keep their own Legislative Assembly with an enhanced measure of autonomy since a single Maltese Government would take the place of the existing Diarchy; only a reduced number of matters, mainly concerned with foreign affairs and defence, would remain the exclusive responsibility of the Parliament and Government [651] of the United Kingdom. The Maltese Government would retain responsibility for taxation in Malta until such time as the Maltese economy was held to have reached a level comparable with that of the United Kingdom.

• 642 Meanwhile discussions between Her Majesty's Govern-
648 ment and Mr Mintoff's Administration continued with
668 fluctuating fortunes on the constitutional, economic and
464 financial aspects of the Integration policy. Here the perennial difficulty remained: the conception of "economic equivalence" which Mr Mintoff had been holding out to his supporters as the indispensable accompaniment of Integration and sought to impose on Her Majesty's Government. Negotiations were heading towards a deadlock when in April 1957 a new element of difficulty was injected into the situation by the visit to Malta of the British Minister of Defence. Mr Sandys's announcement that the changes in [504] British Defence policy and their consequential cuts in Defence expenditure would affect the Dockyard, Malta's greatest single employer of labour, created serious anxiety despite the reassurance in the Minister's statement that in any future war Malta would no longer be, as she had been in the last one, "in the very centre of the European battle area."

464 The anxiety was real, widespread and justified, for over
668 13,000 Maltese are in regular employment in the Dockyard
504 out of a national working population of just under 83,000 and are the wage-earners for a very considerable proportion of the total population. The Dockyard has always been, in Mr Lennox-Boyd's phrase, "the industrial

9: Luke G-5 (ca. 1920-ca. 1960) 1960
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668 579 656 [468] A post-war phenomenon from which Malta is not immune is the Teddy-Boy, whose long locks and bizarre dress as he lounges about the capital faintly recall, if only in caricature, the flowing curls and exotic clothes in which the young Disraeli postured in the streets of Valetta in 1830. A one-day general strike called for the 28th April by the General Workers' Union as a "national protest" gave these and the late Prime Minister's other lawless supporters the opportunity for widespread rioting in which they demolished walls to make barricades and road-blocks, dislocated traffic, destroyed cars and other property and stoned the Police. One of the mobs wrecked and set fire to Zabbar Police Station. Nor was illegal action confined to the mobs. These received encouragement from above; two members of the Mintoff Ministry were convicted of intimidation and had their sentences upheld on appeal. The Police, no longer impeded in the performance of their duty by political pressure, behaved magnificently and with great restraint in the face of violent and sustained provocation.

In consequence of this disorder, whereby relatively small but carefully organized gangs of hooligans interrupted the lawful occasions of the vast majority of peaceful citizens, the prohibition of the holding of public meetings and demonstrations was extended for three months and applied to all Malta and Gozo. Another Proclamation declared a state of emergency which enabled the Governor to assume wider [793] powers for the maintenance of public order and safety. The Archbishop condemned violence in a timely broadcast.

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• 642 648 668 With the elimination of factors making for trouble the country settled down under the Governor's direct administration, and by November 1958 Mr Lennox-Boyd thought the time had come to initiate fresh discussions in London between himself, Sir Robert Laycock and the leaders

9: Luke G-5 (ca. 1920-ca. 1960) 1960
EZ6 Malta EZ6

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respectively of the Maltese Labour, Nationalist and Progressive Constitutionalist Parties, Mr Mintoff, Dr Borg Olivier and Miss Mabel Strickland. The negotiations were unsuccessful. If I now reproduce the text of another official document, it is because the Colonial Secretary's statement of the 5th January 1959, made after the talks had broken down, is the authoritative pronouncement on the chain of events which led the British Government to repeal the 1947 Constitution and promulgate a new interim Constitution to fill the gap pending the return to self-government.

CONSTITUTIONAL AND ECONOMIC ARRANGEMENTS FOR MALTA

Her Majesty's Government's Plans for the Future

1. Her Majesty's Government have carefully considered the views put forward during the constitutional discussions between the Secretary of State for the Colonies and the delegations representing the Malta Labour Party, the Nationalist Party and the Progressive Constitutional Party, which were held in London between the 19th November and the 21st December 1958. Because these talks failed to reach agreement on a new constitution Her Majesty's Government have now had to decide on constitutional arrangements for an interim period.

2. It will be recalled that Malta has been without an elected government since April 1958, when Mr Mintoff resigned and Dr Borg Olivier declined to form a government. At the same time disturbances threatening public safety broke out, which necessitated the proclamation of an emergency. Since then the Governor has had to use his emergency powers to govern Malta. In the situation created by these events, the Secretary of State decided to invite the three political parties to London last November to discuss future constitutional arrangements.

3. In their approach to these discussions Her Majesty's Government naturally had regard to the negotiations which had taken place over the past three years for the integration of Malta with the United Kingdom. Although the integration negotiations have not borne fruit, and none of the Maltese

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political parties now accepts integration as an aim of policy, Her Majesty's Government felt that the far-reaching self-government which Malta would have enjoyed under integration provided a suitable basis for discussion of any new constitutional plan. The Secretary of State was accordingly prepared to discuss with the Maltese delegations at the talks a new constitution drawing its inspiration from those constitutional arrangements under integration on which there had been a substantial measure of agreement. This new constitution would give Malta self-government in most fields. Her Majesty's Government would have retained responsibility for defence and external affairs, for assuring the independence of the Police and the Public Service and for their protection from victimization. This constitution was based on the continuing close association between the United Kingdom and Malta, which Her Majesty's Government firmly believe corresponds to the wishes and interests of both countries.

4. The Secretary of State hoped that after an initial meeting with each of the delegations there could be a plenary Conference with all three delegations. That proved to be impossible.

5. The Labour Party delegation, at the two meetings held with them, and in correspondence between Mr Mintoff and the Secretary of State, took the view that any constitutional arrangements for the future must be on the basis of immediate independence or independence by 1962. They persisted in that view after it had been pointed out to them that the people of Malta would suffer mass unemployment and serious economic hardship if Malta were to become independent now or in the near future. The attitude of the Labour Party delegation made it fruitless to attempt to discuss any detailed constitutional arrangements with them.

There was a valuable general discussion on future constitutional arrangements with the Nationalist Party delegation but the Party required more precise assurances on Malta's eventual position in the Commonwealth than Her Majesty's Government were in a position to give. There was also a useful exchange of views with the Progressive Constitutional Party.

6. There is evidently no prospect at present of devising a Constitution for Malta which would be generally acceptable

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to the political parties and Her Majesty's Government. Farther efforts must, of course, be made, and it is Her Majesty's Government's intention to hold farther discussions in due course with a view to reintroducing elected representative government. In the meantime it is desirable that the present arrangements, under which the Governor is using his emergency powers under the present Constitution to govern the islands, should be terminated as soon as possible. Her Majesty's Government have accordingly no alternative but to revoke the present Constitution and to make special arrangements of an interim character for the government of Malta. This will necessitate legislation and a Bill will be introduced into Parliament after the House re-assembles. The form of government contemplated for this interim period is one in which the Governor will be assisted by a Council on which there will be Maltese representation.

7. During this interim period the Governor with the full support of Her Majesty's Government will press on with economic development. As was recognized in the 1955 Declaration to which the Maltese political leaders subscribe, Malta depends very heavily on Services expenditure and every effort must be made to develop other sources of income. Much has already been done since 1955 in laying the foundation for future industrial development, to which end Malta has received assistance amounting to some £18,000,000 from Her Majesty's Government.

8. Her Majesty's Government's main aim in promoting economic development in Malta is to attract new industries. The 1955 Declaration recognized that this required a joint effort towards which the Maltese Government and people should make the best possible contribution from their own resources. A very important step in Malta's economic development has already been taken by the decision to convert the Naval Dockyard to a commercial ship repair yard and to develop associated industries. The construction of a deepwater harbour, the building of an industrial estate, the re-equipment of the Island's electricity supply and other public utilities, and the development of tourism are already going ahead. Plans for other development are now under examination. It is the

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654 Governor's intention to ask the International Bank for Reconstruction and Development for advice from time to time on
433 current problems of the Maltese economy and on the plans for
648 Malta's economic development.

9. Private industrial development is to be assisted by the Aids to Industry legislation which the Governor intends to enact this month. This will offer substantial fiscal incentives to new industries to establish themselves in the Islands. New industries establishing themselves in Malta will also be eligible to apply for grants and loans. In administering these various incentives to industrial development the Governor will be assisted by an influential advisory body on which there will be Maltese representatives. This body will be under the chairmanship of Lord Hives, who is already familiar with Malta's problems.

Her Majesty's Government have now decided to contribute a sum of up to £29,000,000 over the next five years towards the cost of Malta's capital programme, the conversion of the dockyard to civil use and the encouragement of new industries.

642 The 1959 Constitution came into operation, as it happened,
654 on the 15th April, which is celebrated in Malta as George
648 Cross Day. It provides for the administration of the islands by the Governor with the aid of a part-official, part-nominated Executive Council with Maltese representation, an arrangement similar to that in force between 1936 and 1939. There was also enacted the Aids to Industry legislation foreshadowed in Mr Lennox-Boyd's Statement; Messrs Bailey successfully took over the Dockyard, which had been converted into a commercial undertaking with the financial help of the British Government; work was inaugurated on the construction of a new deep-water wharf in the Grand Harbour.

744 Sir Robert Laycock's term of office, while politically
73 frustrating, ended with a year of economic advance and new hopes. It also saw an immense advance in social services such as District Nursing and the care of handicapped children, orphans and victims of infantile paralysis under the vigorous